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DANIEL R. JOSEPH
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OFFICE OF PETITIONS

In re Application of :
Daniel R. JOSEPH :
Application No. 09/829,084 : DECISION ON PETITION
Filed: April 09, 2001 :
Attorney Docket No. DRJ 04524 PTUS :

This is a decision on the petition under 37 CFR 1.181, filed June 12, 2009, originally filed October 09, 2007, being treated as a petition under 37 CFR 1.137(b), to revive the above-identified application.

The petition under 37 CFR 1.181 is **DISMISSED**.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action, mailed April 20, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on July 21, 2005.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$405.00, and the submission required by 37 CFR 1.114; (2) the petition fee of \$810.00; and (3) a proper statement of unintentional delay. Accordingly, the reply to the final Office action of April 20, 2005, is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4231.

This application is being referred to Technology Center AU 1722 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.



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